



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE

March 15, 2013

Jewel Mullen, MD, MPH, MPA, Commissioner (860) 509-7101

Senate Bill 990: An Act Concerning Smoking Policies And Prohibiting Smoking In Certain Areas

The Department of Public Health would like to thank the Committee for raising the Department's bill, Senate Bill 990, An Act Concerning Smoking Policies And Prohibiting Smoking In Certain Areas.

The intent of this bill is to reduce exposure to secondhand smoke through three changes in the current Clean Indoor Air Act (the Act). First, it restricts a current exemption from the Act by applying it to businesses of one or fewer employees. Under current law, businesses of five or fewer employees are exempted. The bill also creates an exemption for home-based owner-operated businesses in which the owner or owners of such business are the sole employees. Second, the bill extends the Act to disallow smoking within 25 feet of entrances or doorways. Third, it clarifies that electronic nicotine delivery devices are covered by the smoking ban.

Smoking harms nearly every organ of the body, causes many diseases and reduces the health of smokers in general. Adverse health effects from cigarette smoking account for nearly one of every five deaths each year in the United States, or 443,000 deaths. More deaths are caused each year by tobacco use than by human immunodeficiency virus (HIV), illegal drug use, alcohol use, motor vehicle injuries, suicides, and murders combined. Smoking causes an estimated 90% of all lung cancer deaths in men and 80% in women. Smoking also causes 90% of all deaths from chronic obstructive lung disease.¹ Compared with nonsmokers, smokers are at increased risk of: coronary heart disease, by 2 to 4 times; stroke, by 2 to 4 times; men developing lung cancer, by 23 times; women developing lung cancer, by 13 times; and dying from chronic obstructive lung diseases (such as chronic bronchitis and emphysema), by 12 to 13 times.²

¹ U.S. Department of Health and Human Services. *The Health Consequences of Smoking: A Report of the Surgeon General*. 2004.

² CDC factsheet on the health effects of cigarette smoking, available at http://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/effects_cig_smoking.

Phone: (860) 509-7269, Fax: (860) 509-7100

Telephone Device for the Deaf (860) 509-7191

410 Capitol Avenue - MS # 13GRE

P.O. Box 340308 Hartford, CT 06134

An Equal Opportunity Employer

Tobacco smoke is a deadly mix of more than 7,000 chemicals, of which at least 69 are known to cause cancer. Sudden blood clots, heart attacks, and strokes can be triggered by smoke. These findings and more are included in the latest U.S. Surgeon General's report that re-confirmed that there is no risk-free level of exposure to secondhand smoke. Inhaling tobacco smoke causes adverse health outcomes, particularly cancer and cardiovascular and pulmonary diseases. This risk is directly related to the duration and level of exposure to tobacco smoke, and studies have shown that nonsmokers who work in a smoking environment increase their risk of heart disease by 25 to 30 percent and their risk of lung cancer by 20 to 30 percent.³ In fact, even in buildings with good ventilation, exposure to secondhand smoke has been shown to occur.⁴

According to the Centers for Disease Control and Prevention (CDC)⁵, 34 states and the District of Columbia have banned smoking in workplaces. Among the states that have enacted such a ban are Massachusetts, Rhode Island, New York, New Jersey, Vermont, Maine, Pennsylvania, Maryland and Delaware. Connecticut and New Hampshire remain the only states in the northeast that have not banned workplace smoking.

Despite the passage of the Act in 2003, Connecticut residents report significant exposure to secondhand smoke at their workplaces. Among high school students that have a job, 44.3% report that smoking is allowed at least sometimes or in some places where they work.⁶ For adults, the exposure rate varies from 39.1% for those 25-34 years old to 13.3% among those who are 55 years and older.⁷ Smoke-free laws result in fewer respiratory symptoms in workers, protect nonsmokers from death and diseases caused by exposure to secondhand smoke, and have an immediate positive effect on public health. There is strong evidence that these laws result in decreased hospital admissions for heart attacks.⁸

In the current Act, "smoking" is defined as the lighting or carrying of a lighted cigarette, cigar, pipe or similar device. Even though electronic cigarettes are already covered under this definition, we want to add the clarification that this specifically includes

² Leslie Zellers & Samantha K. Graff, Tobacco Control Legal Consortium, *Workplace Smoking: Options for Employees and Legal Risks for Employers* (2008)
<http://tclconline.org/documents/workplace.pdf>

³ U.S. Department of Health and Human Services. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General*. 2010

⁴ See <http://www.cdc.gov/tobacco/statesystem>

⁵ 2009 Connecticut School Health Survey

⁶ 2010 Connecticut Adult Tobacco Survey

⁷ Pierce, J.P.; Leon, M.E., "Special report: policy- effectiveness of smoke-free policies," *Lancet Oncology* 9: 614-615, July 2008.

⁸ FDA Consumer Health Information, U.S. Food and Drug Administration, "FDA Warns of Health Risks Posed by E-Cigarettes", July 2009.

electronic nicotine delivery systems [or electronic cigarettes (e-cigarettes)] to counteract the advertising claims of companies selling this product. A warning was issued by the Food and Drug Administration in 2009, after preliminary testing was performed on these devices. It was determined that they contain chemicals, varying degrees of nicotine, and are produced with little if any oversight or quality assurance standards. The impact of e-cigarettes on health is not yet known, as safety and effectiveness have not yet been studied. Nor are the ingredients known. A report released last month by the CDC shows that double the number of smokers began using e-cigarettes in 2011 as compared with 2010 (21% vs. 10%). With regard to their use indoors, we cannot assume that they are safe without scientific evidence, despite manufacturer claims to the contrary.

Moving to a more comprehensive smoke free air law protects more residents as there is no safe level of exposure to secondhand smoke. Smoking causes disease and death. This bill promotes a policy that makes good public health sense and will result in a savings in healthcare costs as well as an increase in employee productivity. Thank you for your consideration of the Department's views.

*Phone: (860) 509-7269, Fax: (860) 509-7100
Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # 13GRE
P.O. Box 340308 Hartford, CT 06134
An Equal Opportunity Employer*